



Rep. Chapin Rose

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09700HB1079ham001

LRB097 06555 NHT 53360 a

1 AMENDMENT TO HOUSE BILL 1079

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 1079 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The State Property Control Act is amended by  
5 changing Section 6.04 as follows:

6 (30 ILCS 605/6.04) (from Ch. 127, par. 133b9.4)

7 Sec. 6.04. Annually, and upon at least 30 days notice, the  
8 administrator may require each responsible officer to make, or  
9 cause to be made, an actual physical inventory check of all  
10 items of property under his jurisdiction and control and said  
11 inventory shall be certified to the administrator with a full  
12 accounting of all errors or exceptions reported therein. With  
13 respect to public universities, the Department of Central  
14 Management Services may require a listing of equipment items  
15 only for those items valued in excess of \$2,000.

16 (Source: Laws 1955, p. 34.)

1           Section 10. The Board of Higher Education Act is amended by  
2 changing Section 7 as follows:

3           (110 ILCS 205/7) (from Ch. 144, par. 187)

4           Sec. 7. The Board of Trustees of the University of  
5 Illinois, the Board of Trustees of Southern Illinois  
6 University, the Board of Trustees of Chicago State University,  
7 the Board of Trustees of Eastern Illinois University, the Board  
8 of Trustees of Governors State University, the Board of  
9 Trustees of Illinois State University, the Board of Trustees of  
10 Northeastern Illinois University, the Board of Trustees of  
11 Northern Illinois University, the Board of Trustees of Western  
12 Illinois University, the Illinois Community College Board and  
13 the campuses under their governance or supervision shall not  
14 hereafter undertake the establishment of any new unit of  
15 instruction, research or public service without the approval of  
16 the Board. The term "new unit of instruction, research or  
17 public service" includes the establishment of a college,  
18 school, division, institute, department or other unit in any  
19 field of instruction, research or public service not  
20 theretofore included in the program of the institution, and  
21 includes the establishment of any new branch or campus. The  
22 term does not include reasonable and moderate extensions of  
23 existing curricula, research, or public service programs which  
24 have a direct relationship to existing programs; and the Board

1 may, under its rule making power, define the character of such  
2 reasonable and moderate extensions.

3 Such governing boards shall submit to the Board all  
4 proposals for a new unit of instruction, research, or public  
5 service. The Board may approve or disapprove the proposal in  
6 whole or in part or approve modifications thereof whenever in  
7 its judgment such action is consistent with the objectives of  
8 an existing or proposed master plan of higher education.

9 The Board of Higher Education is authorized to review  
10 periodically all existing programs of instruction, research  
11 and public service at the State ~~state~~ universities and colleges  
12 and to advise the appropriate board of control if the  
13 contribution of each program is not educationally and  
14 economically justified. Each State university shall report  
15 annually to the Board on programs of instruction, research, or  
16 public service that have been terminated, dissolved, reduced,  
17 or consolidated by the university. Each university shall also  
18 report to the Board all programs of instruction, research, or  
19 public service that exhibit a trend of low performance in  
20 enrollments and degree completions and high expense per degree.  
21 The Board shall compile a report annually that shall contain  
22 information on new programs created, existing programs that  
23 have been closed or consolidated, and programs that exhibit low  
24 performance or productivity, and this report shall be submitted  
25 to the General Assembly. The Board shall have the authority to  
26 define relevant terms and timelines by rule.

1 (Source: P.A. 89-4, eff. 1-1-96.)

2 Section 15. The University of Illinois Act is amended by  
3 adding Section 80 as follows:

4 (110 ILCS 305/80 new)

5 Sec. 80. Unfunded mandates prohibited.

6 (a) The University shall not be obligated to comply with  
7 the following types of mandates unless a separate appropriation  
8 has been enacted into law providing full funding for the  
9 mandate for the academic year during which the mandate is  
10 required:

11 (1) Any mandate in this Act enacted after the effective  
12 date of this amendatory Act of the 97th General Assembly.

13 (2) Any regulatory mandate promulgated by the Board of  
14 Higher Education and adopted by rule after the effective  
15 date of this amendatory Act of the 97th General Assembly  
16 other than those promulgated with respect to this Section  
17 or statutes already enacted on or before the effective date  
18 of this amendatory Act of the 97th General Assembly.

19 (b) If the amount appropriated to fund a mandate described  
20 in subsection (a) of this Section does not fully fund the  
21 mandated activity, then the University may choose to  
22 discontinue or modify the mandated activity to ensure that the  
23 costs of compliance do not exceed the funding received.

24 (c) If the University discontinues or modifies a mandated

1 activity due to lack of full funding from this State, then the  
2 University shall annually maintain and update a list of  
3 discontinued or modified mandated activities. The list shall be  
4 provided to the Board of Higher Education upon request.

5 Section 20. The Southern Illinois University Management  
6 Act is amended by adding Section 65 as follows:

7 (110 ILCS 520/65 new)

8 Sec. 65. Unfunded mandates prohibited.

9 (a) The University shall not be obligated to comply with  
10 the following types of mandates unless a separate appropriation  
11 has been enacted into law providing full funding for the  
12 mandate for the academic year during which the mandate is  
13 required:

14 (1) Any mandate in this Act enacted after the effective  
15 date of this amendatory Act of the 97th General Assembly.

16 (2) Any regulatory mandate promulgated by the Board of  
17 Higher Education and adopted by rule after the effective  
18 date of this amendatory Act of the 97th General Assembly  
19 other than those promulgated with respect to this Section  
20 or statutes already enacted on or before the effective date  
21 of this amendatory Act of the 97th General Assembly.

22 (b) If the amount appropriated to fund a mandate described  
23 in subsection (a) of this Section does not fully fund the  
24 mandated activity, then the University may choose to

1 discontinue or modify the mandated activity to ensure that the  
2 costs of compliance do not exceed the funding received.

3 (c) If the University discontinues or modifies a mandated  
4 activity due to lack of full funding from this State, then the  
5 University shall annually maintain and update a list of  
6 discontinued or modified mandated activities. The list shall be  
7 provided to the Board of Higher Education upon request.

8 Section 25. The Chicago State University Law is amended by  
9 adding Section 5-175 as follows:

10 (110 ILCS 660/5-175 new)

11 Sec. 5-175. Unfunded mandates prohibited.

12 (a) The University shall not be obligated to comply with  
13 the following types of mandates unless a separate appropriation  
14 has been enacted into law providing full funding for the  
15 mandate for the academic year during which the mandate is  
16 required:

17 (1) Any mandate in this Act enacted after the effective  
18 date of this amendatory Act of the 97th General Assembly.

19 (2) Any regulatory mandate promulgated by the Board of  
20 Higher Education and adopted by rule after the effective  
21 date of this amendatory Act of the 97th General Assembly  
22 other than those promulgated with respect to this Section  
23 or statutes already enacted on or before the effective date  
24 of this amendatory Act of the 97th General Assembly.

1       (b) If the amount appropriated to fund a mandate described  
2 in subsection (a) of this Section does not fully fund the  
3 mandated activity, then the University may choose to  
4 discontinue or modify the mandated activity to ensure that the  
5 costs of compliance do not exceed the funding received.

6       (c) If the University discontinues or modifies a mandated  
7 activity due to lack of full funding from this State, then the  
8 University shall annually maintain and update a list of  
9 discontinued or modified mandated activities. The list shall be  
10 provided to the Board of Higher Education upon request.

11       Section 30. The Eastern Illinois University Law is amended  
12 by adding Section 10-175 as follows:

13       (110 ILCS 665/10-175 new)

14       Sec. 10-175. Unfunded mandates prohibited.

15       (a) The University shall not be obligated to comply with  
16 the following types of mandates unless a separate appropriation  
17 has been enacted into law providing full funding for the  
18 mandate for the academic year during which the mandate is  
19 required:

20       (1) Any mandate in this Act enacted after the effective  
21 date of this amendatory Act of the 97th General Assembly.

22       (2) Any regulatory mandate promulgated by the Board of  
23 Higher Education and adopted by rule after the effective  
24 date of this amendatory Act of the 97th General Assembly

1 other than those promulgated with respect to this Section  
2 or statutes already enacted on or before the effective date  
3 of this amendatory Act of the 97th General Assembly.

4 (b) If the amount appropriated to fund a mandate described  
5 in subsection (a) of this Section does not fully fund the  
6 mandated activity, then the University may choose to  
7 discontinue or modify the mandated activity to ensure that the  
8 costs of compliance do not exceed the funding received.

9 (c) If the University discontinues or modifies a mandated  
10 activity due to lack of full funding from this State, then the  
11 University shall annually maintain and update a list of  
12 discontinued or modified mandated activities. The list shall be  
13 provided to the Board of Higher Education upon request.

14 Section 35. The Governors State University Law is amended  
15 by adding Section 15-175 as follows:

16 (110 ILCS 670/15-175 new)

17 Sec. 15-175. Unfunded mandates prohibited.

18 (a) The University shall not be obligated to comply with  
19 the following types of mandates unless a separate appropriation  
20 has been enacted into law providing full funding for the  
21 mandate for the academic year during which the mandate is  
22 required:

23 (1) Any mandate in this Act enacted after the effective  
24 date of this amendatory Act of the 97th General Assembly.

1           (2) Any regulatory mandate promulgated by the Board of  
2           Higher Education and adopted by rule after the effective  
3           date of this amendatory Act of the 97th General Assembly  
4           other than those promulgated with respect to this Section  
5           or statutes already enacted on or before the effective date  
6           of this amendatory Act of the 97th General Assembly.

7           (b) If the amount appropriated to fund a mandate described  
8           in subsection (a) of this Section does not fully fund the  
9           mandated activity, then the University may choose to  
10           discontinue or modify the mandated activity to ensure that the  
11           costs of compliance do not exceed the funding received.

12           (c) If the University discontinues or modifies a mandated  
13           activity due to lack of full funding from this State, then the  
14           University shall annually maintain and update a list of  
15           discontinued or modified mandated activities. The list shall be  
16           provided to the Board of Higher Education upon request.

17           Section 40. The Illinois State University Law is amended by  
18           adding Section 20-180 as follows:

19           (110 ILCS 675/20-180 new)

20           Sec. 20-180. Unfunded mandates prohibited.

21           (a) The University shall not be obligated to comply with  
22           the following types of mandates unless a separate appropriation  
23           has been enacted into law providing full funding for the  
24           mandate for the academic year during which the mandate is

1 required:

2 (1) Any mandate in this Act enacted after the effective  
3 date of this amendatory Act of the 97th General Assembly.

4 (2) Any regulatory mandate promulgated by the Board of  
5 Higher Education and adopted by rule after the effective  
6 date of this amendatory Act of the 97th General Assembly  
7 other than those promulgated with respect to this Section  
8 or statutes already enacted on or before the effective date  
9 of this amendatory Act of the 97th General Assembly.

10 (b) If the amount appropriated to fund a mandate described  
11 in subsection (a) of this Section does not fully fund the  
12 mandated activity, then the University may choose to  
13 discontinue or modify the mandated activity to ensure that the  
14 costs of compliance do not exceed the funding received.

15 (c) If the University discontinues or modifies a mandated  
16 activity due to lack of full funding from this State, then the  
17 University shall annually maintain and update a list of  
18 discontinued or modified mandated activities. The list shall be  
19 provided to the Board of Higher Education upon request.

20 Section 45. The Northeastern Illinois University Law is  
21 amended by adding Section 25-175 as follows:

22 (110 ILCS 680/25-175 new)

23 Sec. 25-175. Unfunded mandates prohibited.

24 (a) The University shall not be obligated to comply with

1 the following types of mandates unless a separate appropriation  
2 has been enacted into law providing full funding for the  
3 mandate for the academic year during which the mandate is  
4 required:

5 (1) Any mandate in this Act enacted after the effective  
6 date of this amendatory Act of the 97th General Assembly.

7 (2) Any regulatory mandate promulgated by the Board of  
8 Higher Education and adopted by rule after the effective  
9 date of this amendatory Act of the 97th General Assembly  
10 other than those promulgated with respect to this Section  
11 or statutes already enacted on or before the effective date  
12 of this amendatory Act of the 97th General Assembly.

13 (b) If the amount appropriated to fund a mandate described  
14 in subsection (a) of this Section does not fully fund the  
15 mandated activity, then the University may choose to  
16 discontinue or modify the mandated activity to ensure that the  
17 costs of compliance do not exceed the funding received.

18 (c) If the University discontinues or modifies a mandated  
19 activity due to lack of full funding from this State, then the  
20 University shall annually maintain and update a list of  
21 discontinued or modified mandated activities. The list shall be  
22 provided to the Board of Higher Education upon request.

23 Section 50. The Northern Illinois University Law is amended  
24 by adding Section 30-185 as follows:

1 (110 ILCS 685/30-185 new)

2 Sec. 30-185. Unfunded mandates prohibited.

3 (a) The University shall not be obligated to comply with  
4 the following types of mandates unless a separate appropriation  
5 has been enacted into law providing full funding for the  
6 mandate for the academic year during which the mandate is  
7 required:

8 (1) Any mandate in this Act enacted after the effective  
9 date of this amendatory Act of the 97th General Assembly.

10 (2) Any regulatory mandate promulgated by the Board of  
11 Higher Education and adopted by rule after the effective  
12 date of this amendatory Act of the 97th General Assembly  
13 other than those promulgated with respect to this Section  
14 or statutes already enacted on or before the effective date  
15 of this amendatory Act of the 97th General Assembly.

16 (b) If the amount appropriated to fund a mandate described  
17 in subsection (a) of this Section does not fully fund the  
18 mandated activity, then the University may choose to  
19 discontinue or modify the mandated activity to ensure that the  
20 costs of compliance do not exceed the funding received.

21 (c) If the University discontinues or modifies a mandated  
22 activity due to lack of full funding from this State, then the  
23 University shall annually maintain and update a list of  
24 discontinued or modified mandated activities. The list shall be  
25 provided to the Board of Higher Education upon request.

1 Section 55. The Western Illinois University Law is amended  
2 by adding Section 35-180 as follows:

3 (110 ILCS 690/35-180 new)

4 Sec. 35-180. Unfunded mandates prohibited.

5 (a) The University shall not be obligated to comply with  
6 the following types of mandates unless a separate appropriation  
7 has been enacted into law providing full funding for the  
8 mandate for the academic year during which the mandate is  
9 required:

10 (1) Any mandate in this Act enacted after the effective  
11 date of this amendatory Act of the 97th General Assembly.

12 (2) Any regulatory mandate promulgated by the Board of  
13 Higher Education and adopted by rule after the effective  
14 date of this amendatory Act of the 97th General Assembly  
15 other than those promulgated with respect to this Section  
16 or statutes already enacted on or before the effective date  
17 of this amendatory Act of the 97th General Assembly.

18 (b) If the amount appropriated to fund a mandate described  
19 in subsection (a) of this Section does not fully fund the  
20 mandated activity, then the University may choose to  
21 discontinue or modify the mandated activity to ensure that the  
22 costs of compliance do not exceed the funding received.

23 (c) If the University discontinues or modifies a mandated  
24 activity due to lack of full funding from this State, then the  
25 University shall annually maintain and update a list of

1 discontinued or modified mandated activities. The list shall be  
2 provided to the Board of Higher Education upon request.

3 Section 99. Effective date. This Act takes effect upon  
4 becoming law.".